


FCC NEPA Summary Report (47 CFR Subpart I, Chapter I, Sections I.1301-I.1319)

	Site type (choose one): <input checked="" type="checkbox"/> Raw land <input type="checkbox"/> Tower colo <input type="checkbox"/> Other colo <input type="checkbox"/> Tower Replacement	Site ID: Silver Hill Rawland/CT I 1098B	Site Address: 208 Valley Road, New Canaan, CT 06840
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1. Is the antenna structure located in an officially designated wilderness area?

According to a review of the Land Resources Map (Appendix F) and the Department of Agriculture's list of wilderness areas (<http://www.wilderness.net/index.cfm?fuse=NWPS>), the Project Site is not located in an officially designated wilderness area. In addition, according to EBI's review of available on-line resources, the Project Site is not located in a National Park (www.nps.gov/gis), NPS Interactive Map Center), a designated Scenic and Wild River (<http://www.rivers.gov/wildriverslist.html>), a land area managed by the Bureau of Land Management (www.blm.gov/nhp/facts/index.htm), or within 1 mile of a National Scenic Trail as identified by the National Park Service (http://www.nps.gov/ncrc/programs/nts/nts_trails.html).

2. Is the antenna structure located in an officially designated wildlife preserve?

According to a review of the Land Resources Map (Appendix F), the Project Site is not located in an officially designated wildlife preserve. In addition, according to EBI's review of available on-line resources, the Project Site is not located in a US Fish and Wildlife Service National Wildlife Refuge (<http://www.fws.gov/refuges/refugeLocatorMaps/index.html>).

3. Will the antenna structure likely affect threatened or endangered species or designated critical habitats? (Ref. 50 CFR Part 402)

According to a review of the Land Resources Map (Appendix F), no state or federally-listed threatened or endangered species habitats or designated critical habitats are located in the vicinity of the Project Site.

Based on a review of federally-listed threatened and endangered species within Fairfield County, two endangered species (piping plover, roseate tern) and one threatened species (bog turtle) were identified (Appendix G). The habitat at the Project Site does not match the habitats of any listed threatened and endangered species.

In addition, EBI reviewed the Natural Diversity Data Base (NDDB) maps which represent approximate locations of endangered, threatened and special concern species and significant natural communities in Connecticut (Appendix G). These data are compiled and maintained in the NDDB. The maps are intended to be a pre-screening tool to identify potential impacts to state-listed species. Based on our review, there are no state-listed species in the vicinity of the Project Site.

Additionally, based upon the proposed design (unipole) and height (under 199 feet AGL) it is unlikely that the proposed telecommunications installation would adversely impact migratory bird species protected under the Migratory Bird Treaty Act and the Endangered Species Act. Therefore, EBI concludes that the proposed project is unlikely to affect threatened or endangered species.

4. Will the antenna structure affect districts, sites, buildings, structures, or objects significant in American history, architecture, archeology, engineering, or culture that are listed, or potentially eligible for listing in the National Register of Historic Places (NRHP)? (Ref. 36 CFR Part 800 regulations implementing Section 106 of the National Historic Preservation Act).

EBI reviewed the proposed project plans against the Exclusions of the *Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process* (NPA). EBI concluded that the proposed tower construction does not meet any of the Exclusions listed in Section III of the NPA. Therefore, consultation with the Connecticut State Historic Preservation Officer (SHPO) was required.

Based on EBI's review of files online at the National Register Information System (www.nr.nps.gov), and the map of Known Cultural Resources provided by Heritage Consultants, LLC, one historic resource was identified within the 1/2-mile Area of Potential Effect (APE) for visual effects of the proposed tower.

Additionally, Ms. Christine Kimbrough, PhD, Archaeologist of EBI performed an evaluation of the proposed Project Site for the likelihood of containing archaeological resources. Ms. Kimbrough concluded that no further archaeological testing was required.

EBI submitted project plans and a request for comment on FCC Form 620 to the Connecticut SHPO on November 2, 2009. In correspondence dated November 4, 2009, the Connecticut SHPO concurred with our determination, stating "that the proposed undertaking will have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places" Please see Appendix D for copies of this correspondence.

In the unlikely event that unanticipated Historic Properties, cultural artifacts, archeological deposits, or human remains are inadvertently encountered during the proposed construction and associated excavation activities, *T-Mobile* must halt activities immediately and contact the appropriate local officials and state agencies, in accordance with Federal and State regulations (36 CFR 800.13(b)).

5. Will the antenna structure affect Indian religious site(s)

Based on the requirements of the *Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process* (NPA), Tribal consultation was required for this project because the proposed tower construction did not meet Exclusions A, B, C or F of the NPA.

EBI submitted documentation regarding the proposed project to the FCC's Tower Construction Notification System (TCNS). On October 16, 2009 the FCC's TCNS sent the project information to Tribes listed on their database who have interest in the state in which the project is planned. Additionally, EBI submitted follow-up requests for comment to each of the Tribes indicated by the TCNS to have a potential interest in the area of the project.

Tribal communication to date for this project is summarized in the following table.

#	Tribe Name	Initial Notification (via TCNS)	Response to Initial Contact	Second Contact Attempt	Response to Second Attempt	Third Contact Attempt	Fourth Contact Attempt	Action Recommended
1	Delaware Nation	October 16, 2009	None	Overnight Mail; November 4, 2009	None	Overnight Mail: November 18, 2009; No Response received	The project does not endanger known sites of interest to the Delaware Nation (December 1, 2009 via email)	No Further Action
2	Mashantucket Pequot Tribe	October 16, 2009	requested an archaeological survey report via TCNS (October 14, 2009)	December 28, 2009; sent requested survey via email	No properties of cultural and religious importance (January 16, 2010 via TCNS)	N/A	N/A	No Further Action
3	Narragansett Indian Tribe	October 16, 2009	None	Overnight Mail; November 4, 2009	None	Overnight Mail: November 18, 2009; No Response received	FCC contacted Tribe December 3, 2009; No Response within 20 days	No Further Action
4	Delaware Tribe of Indians of Oklahoma	October 16, 2009	None	Overnight Mail; November 4, 2009	None	Overnight Mail: November 18, 2009; No religious or significant	N/A	No Further Action

#	Tribe Name	Initial Notification (via TCNS)	Response to Initial Contact	Second Contact Attempt	Response to Second Attempt	Third Contact Attempt	Fourth Contact Attempt	Action Recommended
						cultural sites (via mail November 23, 2009)		

Please note, in the unlikely event that unanticipated Historic Properties, cultural artifacts, archeological deposits, or human remains are inadvertently encountered during the proposed construction and associated excavation activities, *T-Mobile* must halt activities immediately and contact the appropriate tribal governments, local officials and state agencies, in accordance with Federal and State regulations (36 CFR 800.13(b)).

Note: The Narragansett Indian Tribe has indicated that it has an interest in commenting on proposed projects in the State of Connecticut. The Narragansett Indian Tribe was provided a copy of the project plans and a required Tribal review fee of \$1,000 to review the proposed project on November 4, 2009. The Narragansett Indian Tribe was contact again on November 18, 2009 requesting the tribe's comments on the proposed project. As of the date of this *Report*, EBI has not received a response from the Tribe indicating whether they have interest in consulting further on this project. Based on a lack of response from the Narragansett Indian Tribe, EBI referred this Tribe to the FCC. Correspondence between EBI and the Tribes that includes copies of the Tower Construction Notification System emails, follow-up correspondence, and Tribal responses are appended to this *Report* (Appendix E).

On December 1, 2009, EBI contacted the FCC and indicated two Tribes, the Narragansett Indian Tribe and the Delaware Nation, were unresponsive to EBI's attempts to contact them to inquire whether they had interest in commenting on the proposed project. The FCC contacted these Tribes on December 3, 2009. No response from the Narragansett Indian Tribe was received by the FCC or by *T-Mobile* within 20 days of this FCC contact. The Delaware Nation subsequently responded on December 1, 2009 that "the location of the project does not endanger known sites of interest to the Delaware Nation. In accordance with the FCC's Declaratory Ruling: *Clarification of Procedures for Participation of Federally Recognized Indian Tribes and Native Hawaiian Organizations Under the Nationwide Programmatic Agreement*, released October 6, 2005, these Tribes are deemed to have no interest in pre-construction review of the project, and *T-Mobile's* obligations with respect to those Tribes under Section IV of the NPA are complete.

6. Will the antenna structure be located in a floodplain? (Ref. Executive Order 11988 and 40 CFR Part 6, Appendix A)

According to the FEMA Flood Insurance Rate Map data for the Town of New Canaan (Community Map # 090010, Panel # 0002B) included on the Land Resources Map (Appendix F), the Project Site is not located within a 100-year floodplain. A review of the Flood Insight Flood Zone determination (Appendix I) confirmed that the Project Site is not located within a floodplain.

7. Will construction of the antenna structure involve significant change in surface features (e.g. wetlands, deforestation, or water diversion)? (Ref. Executive Order 11990 and 40 CFR Part 6, Appendix A)

It is EBI's opinion that no documented or potential wetlands are located at or within a 100-foot radius of the proposed tower based upon the following facts:

- Based on our review of the National Wetland Inventory data for the Project Site (Appendix H), there are no federally-designated wetlands in the vicinity of the Project Site.
- Limited or no hydric vegetation was observed at the tower site. Additionally, no surface water was observed at the proposed tower site.

The area proposed to be occupied by *T-Mobile* consists of forested land. The proposed construction plans do not call for the removal of mature trees; therefore, the proposed installation will not result in

deforestation. According to the proposed construction plans and onsite observations, surface water body diversion will not occur.

8. Is the antenna structure located in a residential neighborhood and required to be equipped with high intensity white lights?

According to client representatives and site plans, the proposed installation will not include high intensity white lights and be located in a residential neighborhood.

9a. Will the antenna structure equal or exceed total power (of all channels) of 2000 Watts ERP (3280 EIRP) and have antenna located less than 10 meters above the ground?

9b. Will the rooftop antenna project equal or exceed total power (of all channels) of 2000 Watts ERP (3280 EIRP)?

An evaluation to determine whether radiofrequency (RF) emissions standards are met was not included as part of this *Report*. EBI understands that client representatives will evaluate the project to ensure compliance with applicable RF standards.